

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: FCA US LLC MONOSTABLE
ELECTRONIC GEARSHIFT LITIGATION

MDL No. 2744

Case Number 16-md-02744
Honorable David M. Lawson
Magistrate Judge David R. Grand

SOPHIE MANNARINO, as administrator for
the Estate of MICHAEL J. MANNARINO,
a.k.a. MICHAEL J. MANNARINO, JR.,

Plaintiff,

v.

Case Number 18-10173
Honorable David M. Lawson

FCA US, LLC,

Defendant.

ORDER GRANTING IN PART MOTION TO EXCLUDE EXPERTS

This matter is before the Court on the defendant's motion to exclude undisclosed expert witnesses for the plaintiff. The Court has reviewed the submissions of the parties and heard oral argument on May 20, 2020. During the hearing the Court announced from the bench its decision to grant in part the defendant's motion for sanctions and also to grant in part the plaintiff's cross-motion to extend scheduling deadlines.

Accordingly, it is **ORDERED** that the defendant's motion to exclude experts (ECF No. 571) is **GRANTED IN PART** for the reasons stated on the record. As a sanction for noncompliance with the schedule established by the Court the plaintiff and her counsel are ordered to pay to the defendant, **on or before June 3, 2020**, the amount of \$5,000 in attorney fees and costs associated with the litigation of the motion to exclude.

It is further **ORDERED** that the plaintiff's request to extend scheduling deadlines is **GRANTED IN PART** as follows. The plaintiff must disclose to counsel for the defendant the identity of her expert witnesses and their *curriculum vitae* **on or before May 22, 2020**. The plaintiff's expert disclosures including expert reports as required by Federal Rule of Civil Procedure 26(a)(2) must be served **on or before June 30, 2020**. The defendant's expert disclosures under Rule 26(a)(2) must be served **on or before July 30, 2020**. If the plaintiff fails to produce expert disclosures by the extended deadline then the Court will entertain a motion to dismiss the case with prejudice.

It is further **ORDERED** that the defendant's timely filed motion for summary judgment (ECF No. 600) is **DISMISSED** without prejudice. The defendant may renew its motion for summary judgment **on or before August 24, 2020**, and it also may file any motions challenging experts by that same date.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: May 20, 2020